

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
WEDNESDAY, NOVEMBER 2, 1988
7:30 P.M.

ROLL CALL

Present: Council Members - Hinchman, Olson,
Snider and Pinkerton (Mayor)

Absent: Council Members - Reid

Also Present: City Manager Peterson, Community
Development Director Schroeder, Public Works
Director Ronsko, City Attorney McNatt, and
City Clerk Reimche

INVOCATION

The invocation was given by Pastor Dave Wellman, Fairmont
Seventh-Day Adventist Church.

PLEDGE OF
ALLEGIANCE

The Pledge of Allegiance was led by Mayor Pinkerton.

PRESENTATIONS

UPDATE GIVEN BY
SAN JOAQUIN LOCAL
HEALTH DISTRICT ON
THE 1985/86 AIR
QUALITY POLLUTION
CONTROL REPORT

The City Council received an update on the 1985/86 Air
Quality Pollution Control Report by representatives of the
San Joaquin Local Health District.

CC-2(c)

RECESS

Mayor Pinkerton declared a five-minute recess and the City
Council reconvened at approximately 8:12 p.m.

CONSENT CALENDAR

In accordance with report and recommendation of the City
Manager, Council, on motion of Council Member Olson,
Hinchman second, approved the following items hereinafter
set forth.

Agenda item E-6 "Approve replacement of Narcotics Unit
vehicles" was removed from the Consent Calendar and
discussed and acted upon immediately following the approval
of the Consent Calendar.

Mayor Pro Tempore Snider asked to abstain from discussion
and voting on Agenda item E-15 "Approve Final Map for Ham
Lane Professional Center #2, 1300 West Lodi Avenue" because
of a possible conflict of interest.

CLAIMS CC-21(a)

Claims were approved in the amount of \$3,154,684.39.

MINUTES

The Minutes of September 28, 1988 and October 5, 1988 were
approved as written.

VARIOUS
SPECIFICATIONS
APPROVED

The City Council approved the specifications for Lane Line
Painting, Various Streets 1988, and authorized the
Purchasing Officer to advertise for bids.

CC-12.1(c)

This project provides painting of lane lines on arterial
and collector streets on an annual basis, and approximately
50 percent of residential streets. Should the actual bid
be less than the amount budgeted, the difference will be
used to paint additional lane lines.

Continued November 2, 1988

CC-12.1(b) The City Council approved the specifications for a dump truck and authorized advertising for bids.

This piece of equipment will replace a 1976 Ford, 23,000 GVWR dump truck equipped with a mobile radio and emulsion tank used by the Street Division for daily street maintenance.

Funds have been allocated in the Equipment Fund in this year's 1988/89 budget for this purpose.

PLANS AND
SPECIFICATIONS
FOR INSTALLATION
OF MECHANICAL
EQUIPMENT AND
NEW ROOF ON
CAFETERIA BUILDING
AT HUTCHINS STREET
SQUARE, 600 WEST
OAK STREET
APPROVED

CC-12.1(a)

CC-27(2)

The City Council approved the plans and specifications for the Installation of Mechanical Equipment and New Roof on Cafeteria Building at Hutchins Street Square, 600 West Oak Street, and authorized advertising for bids.

The City Council was apprised that this project consists of re-roofing the cafeteria building with a single-ply roof membrane system, locating and tying in two 15-ton air conditioning units salvaged from the demolished Hale Park building, and providing electrical requirements to service those units.

Monies were designated through a Special Allocation dated May 18, 1989 for this and other work.

The original scope of the project was to patch, rather than re-roof the building, and did not include funds for preparation of plans and specifications or structural calculations which have been necessary. Upon awarding the contract, additional funding may be required, or deletion of other items under the Special Allocation may be necessary.

CONTRACT AWARDED
FOR SOFTBALL COMPLEX
UTILITY ROAD,
401 NORTH STOCKTON
STREET

RES. NO. 88-150

CC-12(a)

The City Council adopted Resolution No. 88-150 awarding the contract for the Softball Complex Utility Road, 401 North Stockton Street, to Gooden Paving Company of Acampo in the amount of \$5,879.04.

The City Council was apprised that the utility service road from Lawrence Avenue will allow vendors and suppliers access to the concession stand area without interfering with pedestrians in the bleacher area. The Parks and Recreation Department has also requested additional paving adjacent to the roadway to accommodate accessory vehicles associated with the sports tournaments held there. This additional work accounts for a portion of the project overrun. The remainder is due to the original low budget estimate. Funds remaining in the Softball Complex shade structure account will be sufficient to do this work and replace or modify the backstops which were included in that project.

Continued November 2, 1988

Plans and specifications for this project were approved on October 5, 1988.

The City received the following three bids for this project:

| <u>Bidder</u> | <u>Bid</u> |
|--------------------------------|------------|
| Engineer's Estimate | \$9,076.80 |
| Gooden Paving Co. | \$5,879.04 |
| Claude C. Wood Co. | \$6,725.20 |
| A.M. Stephens Construction Co. | \$7,512.96 |

AWARD CONTRACT FOR
SOFTBALL COMPLEX
FENCE REPLACEMENT,
401 NORTH STOCKTON
STREET

RES. NO. 88-151

CC-12(a)

The City Council adopted Resolution No. 88-151 awarding the contract for the Softball Complex Fence Replacement, 401 North Stockton Street, to Weaver's Woven Wire of Carmichael in the amount of \$29,836.00.

The City Council was apprised that this project was originally planned to include a 16-foot outfield fence to prevent windshield breakage in the parking lot. Bids were rejected by the City Council when objections were raised concerning the height of the fence.

The project was reviewed by the Parks and Recreation Commission and the City Attorney. It was determined that a 12-foot fence with warning signs would sufficiently relieve the City of liability. The project has been redesigned and includes a 12-foot outfield fence with 20-foot foul line marker poles, a mowstrip, and miscellaneous fence repairs.

Plans and specifications for the redesigned project were approved on October 5, 1988.

The City received the following nine bids for this project:

| <u>Bidder</u> | <u>Bid</u> |
|-------------------------------|-------------|
| Engineer's Estimate | \$32,306.00 |
| Weaver's Woven Wire | \$29,836.00 |
| Ramirez Fence Co. | \$35,568.40 |
| C&R Fence Contractors, Inc. | \$36,774.00 |
| Economy Fence Company | \$37,044.56 |
| All Counties Fence Co., Inc. | \$38,293.80 |
| Stockton Fence & Material Co. | \$38,506.20 |
| Clark-Whitaker Co., Inc. | \$38,822.88 |
| Pisor Fence Division, Inc. | \$41,904.00 |
| Dura Fence Company | \$43,276.90 |

Due to a mismarked envelope containing the bid that turned out to be the low bid, the bid was opened out of sequence. However, it was opened within a few minutes after the other fence bids were opened, at the same bid opening. It was the recommendation of the City Attorney and the Public Works Department that the bid be awarded to Weaver's Woven Wire.

Continued November 2, 1988

APPROPRIATION OF
FUNDS APPROVED TO
COVER THE COST OF
NOTICING ALL
REGISTERED VOTERS
IN THE CITY OF LODI
OF THE CONSOLIDATION
OF MUNICIPAL ELECTIONS
WITH STATEWIDE GENERAL
ELECTIONS AND THE
EXTENSION OF THE
ELECTED CITY
OFFICEHOLDERS'
TERMS

CC-18

The City Council approved the appropriation of \$10,000.00 from the Contingency Fund to cover the cost of noticing all registered voters in the City of Lodi of the consolidation of Municipal Elections with Statewide General Elections and the extension of the elected city officeholders' terms.

The City Council was reminded that on October 19, 1988 it adopted Ordinance No. 1438 entitled "An Ordinance of the Lodi City Council Consolidating Municipal Elections with Statewide General Elections".

Section 4 - Voter Notification of Ordinance No. 1438, sets forth the requirement of State of California Government Code Section 36503.5 (e) whereby, within 30 days after the ordinance becomes effective, the City Clerk shall cause notice to be mailed to all registered voters advising of the change in the election date. The notice shall also inform voters that as a result of the change in the election date, elected city officeholders' terms in office will be extended.

The City will be coordinating the task of noticing all registered voters within the City of Lodi of the consolidation of Municipal Elections with Statewide General Elections and the extension of the elected city officeholders' terms with the San Joaquin County Registrar of Voters.

It is estimated that this mailing, including printing, postage, etc., will cost approximately \$10,000.00.

As of the close of registration for the November 8, 1988 election, the City of Lodi has 25,052 registered voters.

RENEWAL OF AGREEMENTS
WITH NATIONAL
ADVERTISING COMPANY
FOR RENTAL OF TWO
BILLBOARDS LOCATED
ON HIGHWAY 99
ENTRANCES TO CITY
OF LODI APPROVED

CC-6

CC-59

The City Council was advised that the renewal agreements with National Advertising Company for the rental of two billboards located on the Highway 99 entrances to the City of Lodi have been received.

These are painted boards and the rental fee includes painting of the boards yearly, including the original painting.

The term of these agreements is for 36 months. The effective date of these renewals and the monthly unit charges will be as follows according to the terms of the renewal agreements.

Continued November 2, 1988

| LOCATION | EFFECTIVE DATE | MONTHLY UNIT CHARGE |
|----------|----------------|---------------------|
|----------|----------------|---------------------|

- | | | |
|--|---------------|----------|
| a) Highway 99, East side 0.5 miles s/o Armstrong Rd. | March 1, 1989 | \$590.00 |
| b) Highway 99, West side N/o Peltier Rd. | April 1, 1989 | \$590.00 |

The monthly unit charge shown above is applicable only to the first 12 months of the agreement term. A 12% per year increase in the monthly unit charge will be applicable to each succeeding year, commencing on each anniversary of the effective date of this agreement.

The City Council approved renewing these agreements with the National Advertising Company, and directed the City Manager and City Clerk to execute the agreements covering these billboards.

CLASS SPECIFICATIONS
AND SALARY RANGE FOR
BUYER POSITION APPROVED

RES. NO. 88-152 The City Council adopted Resolution No. 88-152 approving
CC-34 the class specifications for the position of Buyer and
setting the salary range as follows:

Steps A - \$1,925.00; B - \$2,021.25; C - \$2,122.31;
D - \$2,228.43; E - \$2,339.84

RETENTION OF GOLF
REALTY CORPORATION/
WILLIAM SHERMAN
COMPANY TO ASSIST
THE CITY OF LODI
IN THE PREPARATION
AND EVALUATION OF
REQUEST FOR PROPOSAL
TO SOLICIT BIDDERS
FOR THE DEVELOPMENT
OF A GOLF FACILITY
AT G-BASIN, LOCATED
ON THE SOUTHEAST
CORNER OF LOWER
SACRAMENTO ROAD AND
THE FUTURE EXTENSION
OF CENTURY BOULEVARD
APPROVED

CC-6
CC-27(c)
CC-88

The City Council authorized the execution of an agreement with the firm of Golf Realty Corporation/William Sherman Company for services in the preparation of a Request for Proposal for the development and operation of a golf course in the G-Basin, and to assist in the evaluation of same.

The City Council was reminded that at the "Shirtsleeve" session of October 25, 1988, the City Council heard a presentation by Mr. Anthony Crocco, of the firm of Golf Realty Corporation/William Sherman Company, concerning that firm's ability to assist the City in obtaining responses to a Request for Proposal for the construction of a golf course in the G-Basin.

The services to be provided by the firm include development of the Request for Proposal; advertisement and general distribution of the notice of the City's interest in receiving same; and assistance in the evaluation of the

Continued November 2, 1988

various proposals received. The cost for these services will be \$10,000, plus "out-of-pocket expenses for travel, printing and other related expenses concerned with the completion of the assignment at Consultant's actual cost."

The City is under no commitment to proceed with the project now or in the future. This step will provide the City Council with the opportunity to review a variety of proposals and to evaluate how the City and the citizens might benefit from each. Following this evaluation of proposals received, which will probably take place in mid to late February, the Council will then be in a position to make whatever decision appears most appropriate.

RESOLUTION ADOPTED
EXCUSING ABSENCE
FROM CITY COUNCIL
MEETINGS OF COUNCIL
MEMBER FRED REID
DUE TO FAMILY EMERGENCY

RES. NO. 88-153

The City Council adopted Resolution No. 88-153 excusing the absence from Council meetings of Council Member Fred Reid, in the event that he is unable to attend said meetings.

CC-6
CC-17

The City Council was advised that because of a family emergency, Council Member Fred Reid was absent from the Council meeting of October 19, 1988. It now appears likely that such emergency will necessitate his absence from Council meetings in the near future.

Government Code § 36513 specifies that if a council member is absent from "all regular city council meetings for sixty days consecutively from the last regular meeting date attended ...", and if such absence is "without permission", then that council member's seat becomes vacant. City Attorney McNatt indicated he believed it has been the past practice of the Council, under appropriate circumstances,

to excuse or grant permission to council members under such circumstances.

City Attorney McNatt advised that in order to avoid the forfeiture provisions of Government Code § 36513, the Council may wish to adopt a resolution granting permission for Council Member Reid's absence.

PROPOSED SETTLEMENT
OF LITIGATION, HEGWER
V. CITY OF LODI,
ET AL

CC-4(c)
CC-34

The City Council approved settlement of litigation, Hegwer v. City of Lodi, et al, as hereinafter set forth:

An offer has been made to settle the lawsuit entitled Hegwer v. City of Lodi, et al., filed August 4, 1988 in the U. S. District Court, Sacramento, for the amount of \$18,500.00. This lawsuit alleges arrest for drunk driving without probable cause, occurring November 11, 1987.

Such proposed settlement would in no way be deemed an admission of wrongdoing by the City or any of the City's employees, but a compromise reached to avoid the inconvenience and expense of trial. If approved by the Council, the settlement will also dispose of a pending Workers' Compensation claim filed by the Plaintiff.

Continued November 2, 1988

FINAL MAP FOR HAM
LANE PROFESSIONAL
CENTER, UNIT NO. 2,
1330 WEST LODI
AVENUE APPROVED

CC-46

The City Council approved the final map for Ham Lane Professional Center, Unit No. 2, Tract No. 2190, and authorized the City Clerk to execute the subdivision map on behalf of the City.

The City Council was advised that Avenue Investments, the developer of this subdivision, has furnished the City with fees for the proposed subdivision. This subdivision is zoned RCP and creates a one-lot condominium subdivision from an existing lot. Because this is a developed lot, no agreements or improvement plans are required.

Mayor Pro Tempore Snider abstained from voting on this matter because of a possible conflict of interest.

AMENDMENTS TO THE
JOINT POWERS AGREEMENT
CREATING THE CALIFORNIA
JOINT POWERS INSURANCE
AUTHORITY (CJPIA)
APPROVED

RES. NO. 88-154

CC-21.1(e)

The City Council adopted Resolution No. 88-154 approving amendments to the California Joint Powers Insurance Authority.

The Board of Directors of the CJPIA have approved the submission of certain amendments to the Joint Powers agreement to the member entities. An affirmative vote of 70% of the member entities is required to approve the amendments.

The amendments are intended to clarify and strengthen two specific parts of the JPA agreement. The first requires participation in the Auto and General Liability programs be a prerequisite to continued membership. The second requires two-year commitments of the members to the organization and to the pooled coverage layers.

The second change does have some opposition and probably will not be ratified by 90% of the members. Staff, nevertheless, recommended the Council approve the change as a statement of support, commitment, and need for organizational stability.

REPLACEMENT OF
NARCOTICS UNIT
VEHICLE APPROVED

CC-20

CC-47

Following introduction of the matter and discussion, the City Council on motion of Mayor Pro Tempore Snider, Hinchman second, approved the replacement of the sedan used by the Narcotics Unit.

Council was apprised that there are sufficient unallocated funds in the Equipment Fund to purchase this equipment at this time.

COMMENTS BY CITY
COUNCIL MEMBERS

The following comments were received under the "Comments by City Council Members" segment of the agenda:

CITIZENS URGED
TO VOTE

Mayor Pro Tempore Snider urged all citizens of Lodi to vote on election day (November 8, 1988).

Continued November 2, 1988

UPDATE GIVEN ON
CONDITION OF
MARJORIE REID

City Manager Peterson gave an update on the condition of Marjorie Reid.

COMMENTS BY THE
PUBLIC ON NON
AGENDA ITEMS

The following comments were received under the "Comments by the public on non-agenda items" segment of the agenda:

WOMAN'S CLUB
REDEDICATION

Janet Pruss, 2421 Diablo Drive, Lodi, thanked the City Council for its participation in the October 22, 1988 Woman's Club of Lodi rededication ceremonies.

CONCERNS EXPRESSED
REGARDING MANTECA
RAYMUS - AIRPORT
WAY ANNEXATION

Mr. Mike Barkley, 161 North Sheridan Avenue, No. 1, Manteca, addressed the City Council regarding the Local Agency Formation Commission's recent actions concerning the Manteca Raymus - Airport Way Annexation.

CC-7(m)
CC-8(b)
CC-16

AMENDMENT TO ORDER
OF THE AGENDA

On motion of Council Member Olson, Hinchman second, the City Council approved amending the order of the agenda to consider Public Hearing No. 2 entitled, "Public Hearing to consider the appeal of Donald R. Pearson, H & M Builders, of the Planning Commission's denial of the approval of the Tentative Subdivision Map of Iris Place, Phase II, a 1.0 acre, 6-lot single-family residential development proposed for 1420 Iris Drive" prior to Public Hearing No. 1 entitled, "Public Hearing to consider resolution/order to vacate the west 15 feet of Ravenwood Way".

APPEAL OF THE
PLANNING COMMISSION'S
DENIAL OF THE APPROVAL
OF THE TENTATIVE MAP
FOR IRIS PLACE,
PHASE II WITHDRAWN

Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Pinkerton called for the Public Hearing to consider the appeal of Donald R. Pearson, H & M Builders, of the Planning Commission's denial of the approval of the Tentative Subdivision Map of Iris Place, Phase II, a 1.0 acre, 6-lot single-family residential development proposed for 1420 Iris Drive.

CC-53(a)
CC-53(b)

The City Council was advised that a letter had been received from Mr. Pearson asking to withdraw their request for appeal of the Planning Commission's decision regarding Iris Place, Phase II.

On motion of Mayor Pro Tempore Snider, Hinchman second, the City Council received and accepted the withdrawal of the appeal.

VACATION OF THE WEST
15 FEET OF RAVENWOOD
WAY APPROVEDRESOLUTION/ORDER
NO. 88-155

PUBLIC HEARINGS

Notice thereof having been published and posted according to law, affidavits of which publication and posting are on file in the office of the City Clerk, Mayor Pinkerton

CC-52(c)

Continued November 2, 1988

called for the Public Hearing to consider adopting a resolution/order to vacate the west 15 feet of Ravenwood Way.

The City Council was apprised that this abandonment has been requested by Gibraltar Community Builders pursuant to an order issued by the Superior Court. Wilbert and Roberta Ruhl obtained a judgement establishing certain easement rights in their favor over a portion of the Noma Ranch Subdivision. Gibraltar and Ruhl have agreed upon a method of resolving this dispute whereby Gibraltar will grant the Ruhl's easement rights in exchange for certain consideration. Specifically, the Ruhls will obtain a 15-foot easement over the westerly portion of Lots 1 and 20 in the Noma Ranch Subdivision as well as the westerly 15 feet of Ravenwood Way. In order to accomplish this, the City of Lodi will need to vacate and abandon the westerly 15 feet of Ravenwood Way as well as a portion of certain improvements along Almond Drive where the Ruhl's roadway would intersect Almond Drive. Gibraltar will then construct a fence along the boundary between the Ruhl property and Noma Ranch. The fence to be constructed at the end of Ravenwood Way would have a gate with a City lock.

The owners have paid the necessary fees to process this abandonment. Pacific Bell, Pacific Gas & Electric, King Videocable Company and City utilities have been notified of the abandonment and their approval has been secured.

In exchange for the abandonment and vacation, the adjacent owners, Wilbert and Roberta Ruhl, have agreed to execute a deed restriction, to be recorded and run with the land, obligating them or their successors in interest to restore the public rights-of-way at such time as they or their successors in interest are granted any development permit or map, at their own cost. This simply means that at such time as the adjacent Ruhl property is used for anything other than its present agricultural uses, the owners of the property at that time will be required to rededicate to the City the land abandoned here, and to provide the extension of such rights of way in conjunction with any development.

The following persons addressed the City Council regarding the matter:

- a) Jonathan McGladdery, 318 West Pine Street, Lodi
- b) Paul Landes, 3138 Appling, Stockton

There being no other persons wishing to address the City Council regarding the matter, the public portion of the hearing was closed.

On motion of Mayor Pro Tempore Snider, Hinchman second, the City Council adopted Resolution/Order No. 88-155 vacating the west 15 feet of Ravenwood Way.

Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Pinkerton called for the Public Hearing to consider the Planning Commission's recommendation that the off-street parking requirements for triplexes, fourplexes and multiple-family units in areas zoned R-LD, R-GA, R-MD, and R-HD be increased from 1-1/2 spaces per unit to 2 spaces per unit.

Continued November 2, 1988

PUBLIC HEARING TO
CONSIDER INCREASING
OFF-STREET PARKING
REQUIREMENTS FOR
TRIPLEXES, FOURPLEXES
AND MULTIPLE-FAMILY
UNITS IN AREAS ZONED
R-LD, R-GA, R-MD,
AND R-HD BE
INCREASED

CC-35
CC-53(a)
CC-150

The matter was introduced by the City Manager and the Community Development Director who responded to questions as were posed by the City Council.

There being no persons in the audience wishing to speak on the matter, the public hearing was closed.

On motion of Council Member Hinchman, Olson second, the City Council referred the matter to the City Attorney asking that he prepare an appropriate ordinance. Further, the City Clerk was directed to place consideration of the introduction of the draft ordinance on the agenda for the City Council Meeting of November 16, 1988.

PUBLIC HEARING TO
CONSIDER APPEAL OF
DELTA SIGN AND
CRANE SERVICE ON
BEHALF OF HARRY
ILGENFRITZ OF THE
PLANNING COMMISSION'S
DENIAL OF A ZONING
VARIANCE TO REDUCE
THE SETBACK FOR A
MONUMENT SIGN FROM
10 FEET TO 4 FEET
AT 1330 SOUTH HAM
LANE IN AN AREA
ZONED R-C-P
CONTINUED

CC-53(a)
CC-53(b)
CC-171

Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Pinkerton called for the Public Hearing to consider the appeal of Delta Sign and Crane Service on behalf of Harry Ilgenfritz of the Planning Commission's denial of a zoning variance to reduce the setback for a monument sign from 10 feet to 4 feet at 1330 South Ham Lane in an area zoned R-C-P.

It was determined that the appellant was not in the audience although the appropriate noticing had been sent. Following discussion with questions being directed to the City Clerk and the City Attorney, the City Council, on motion of Mayor Pro Tempore Snider, Hinchman second, continued the public hearing to the Regular City Council Meeting of November 16, 1988.

PLANNING COMMISSION
REPORT

City Manager Peterson presented the following Planning Commission Report of the Planning Commission Meeting of October 24, 1988:

CC-35

The Planning Commission -

PROPOSED VACATION
OF THE WEST 15
FEET OF RAVENWOOD
WAY

1. Determined that no present public need existed and recommended that the City Council abandon the west 15 feet of Ravenwood Way as requested by Gibraltar Community Builders.

OF INTEREST TO THE CITY COUNCIL

Further, the Planning Commission -

1. Conditionally approved the request of Colleen K. Conner for a Use Permit for a residential day care facility for 12 children at 1307 Holly Drive in an area zoned R-2, Single-Family Residential.
2. Continued the request of Gary Kroll for the approval of a Tentative Parcel Map to divide 601 North Loma Drive (APN 035-171-01) into two lots in an area zoned R-1, Single-Family Residential until November 28, 1988.

This item was continued to provide the applicant time to review alternate methods of providing a 24-foot, two-way drive to a proposed flag lot.

3. Reviewed the proposed Sidewalk Vendors Ordinance and returned to the City Attorney for clarification.

COMMUNICATIONS
(CITY CLERK)

CLAIMS CC-4(c)

On recommendation of the City Attorney and ADJUSTCO, the City's Contract Administrator, the City Council on motion of Council Member Hinchman, Olson second, denied the following claims and referred them back to ADJUSTCO:

- a) Margie B. Gienger - DOL 8/9/88
- b) Douglas Troupe - DOL 9/19/88
- c) Lydia Garciacelay - DOL 9/17/88

CITY CLERK DIRECTED
TO POST FOR TERMS
EXPIRING ON VARIOUS
CITY BOARDS AND
COMMISSIONS

CC-2(h)
CC-2(i)
CC-2(1)

City Clerk Reimche reported that the following terms on various City of Lodi Boards and Commissions are due to expire shortly:

RECREATION COMMISSION

FOUR YEAR TERM
(Term Expiring)

Tad Ishihara

December 31, 1988 (A letter of resignation as of the expiration of his term has been received from Mr. Ishihara)

Elvera Melby

December 31, 1988

LODI SENIOR CITIZENS COMMISSION

FOUR YEAR TERM
(Term Expiring)

Shirley Jean Kleim

December 31, 1988

Eleanor Todd

December 31, 1988

SITE PLAN AND ARCHITECTURAL
REVIEW COMMITTEE

FOUR YEAR TERM
(Term Expiring)

Donald P. Kundert

January 1, 1989

Continued November 2, 1988

The City Council, on motion of Council Member Olson, Hinchman second, directed the City Clerk to make postings regarding these expiring terms as required by law.

APPOINTMENT TO THE
LODI ARTS
COMMISSION

CC-2(k)

On motion of Mayor Pro Tempore Snider, Hinchman second, the City Council concurred with the Mayor's appointment of Linda C. Vanden Bosch to the Lodi Arts Commission to fill an unexpired term which will expire May 5, 1991.

PROPOSITION 85,
THE LIBRARY
CONSTRUCTION AND
RENOVATION BOND
ACT

CC-28
CC-29

No formal action was taken by the City Council regarding the request received seeking support of Proposition 85, the Library Construction and Renovation Bond Act.

REGULAR CALENDAR

ACTION DEFERRED
REGARDING APPROVAL
OF CLASS SPECIFI-
CATIONS AND
ESTABLISHING
SALARY RANGE FOR
THE POSITION OF
PERSONNEL ANALYST

CC-34

The City Manager reported that he has been aware for some time that the City's personnel office was understaffed. However, for various reasons it was decided to postpone the request for additional staffing. At the time the City launched the recruitment for a new Personnel Director the City Council was advised that one of the first assignments of the person hired would be to evaluate the existing operation and staff and then recommend appropriate action where attention was needed.

Joanne Narloch has now been on board for two months; much of that time has been spent with department heads to determine the services which need to be performed to meet their needs and reviewing the policies and procedures in the personnel operation. The major deficiency Ms. Narloch has identified, and one that we all suspected, is that we have no formalized personnel policies and procedures, resulting in a "seat of the pants" operation.

There is currently no position control system in place. Our recruiting and selection procedures have provided a generally high quality work force. However, we have not followed legal guidelines and have run the risk of violating laws relative to equal employment opportunities. A policy needs to be developed on requesting and conducting classification studies and procedures.

In the area of discipline our record is less than stellar. Ms. Narloch is now providing guidance in handling such actions as the need arises.

We have no performance appraisal system; records are kept manually or using the word processor; employee and supervisory training in the areas of sexual harassment, discrimination, affirmative action, discipline, etc. are not being addressed.

Continued November 2, 1988

In addition to the ongoing duties of administering and directing personnel functions, there is an immediate need to develop and write a set of modern day personnel rules and a personnel policy and procedures manual and to begin the process of automating the personnel functions.

The City Manager further indicated that we have surveyed staffing levels and salaries in other personnel offices. The results are summarized below.

| City | Number of Analysts | Per Number of Employees | Salary |
|-----------------|-----------------------|----------------------------|--------|
| Chico | 1 | 268 | 2,983 |
| Modesto | 3 | 940 | 3,418 |
| Redding | 2 | 560 | 2,475 |
| Roseville | 3 | 486 | 2,760 |
| Stockton | 4 | 1,400 | 3,355 |
| Tracy | 1 | 250 | 2,798 |
| Vacaville | 1 | 320 | 2,642 |
| Visalia | 4 | 400 | 3,418 |
| West Sacramento | 1 | 205 | 2,817 |

This averages one analyst per 241 employees. The City of Lodi now has 367 budgeted positions.

An external comparison of these same cities shows the mean salary to be \$2,916.00. The City Manager indicated he has trouble with the small number of positions surveyed and prefers to use internal alignments. The differential between department heads and their assistants is between 70 and 75%.

| | | | |
|--------------------------------|---|----------------------------|------|
| Community Development Director | - | Chief Building Inspector | 72.7 |
| Finance Director | - | Assistant Finance Director | 73.1 |
| Parks & Recreation Director | - | Recreation Superintendent | 69.3 |
| Public Works Director | - | Chief Civil Engineer | 70.3 |

A proposed class specification for a Personnel Analyst was presented for the City Council's review. A salary level equal to 71.5% of the Personnel Director control point would be \$2,724 per month. This salary is near that of the Accountant II position which has the same education and experience criteria. This results in the following proposed salary range for this position:

| A | B | C | D | E |
|---------|---------|---------|---------|---------|
| \$2,241 | \$2,353 | \$2,470 | \$2,594 | \$2,724 |

City Manager Peterson indicated that such a request should be considered as part of the overall budget review process. However, he didn't believe it to be in the City's best interest to wait until then. Such a schedule would mean that we would not have this filled until about a year from now. Filling this position now will provide a level of service to which job applicants, employees, retired employees, department heads and the public in general are entitled.

A lengthy discussion followed with questions regarding the matter being directed to the City Manager and to Ms. Narloch.

On motion of Mayor Pro Tempore Snider, Hinchman second, the City Council tabled this matter to allow further time for Council review.

Continued November 2, 1988

CONSIDER ADOPTION
OF STATE-MANDATED
ORDINANCE AND
RESOLUTION
ESTABLISHING
STANDARDS AND
PROCEDURES FOR
IMPOSITION,
COLLECTION AND
EXPENDITURE OF
DEVELOPERS' FEES

ORD. NO. 1440
INTRODUCED

CC-6
CC-46
CC-56
CC-149

City Attorney McNatt advised the City Council that State Legislature, pursuant to AB1600 and its companion bill SB372, has mandated that local government adopt provisions for the establishment of procedures establishing a "nexus" between development fees imposed and the needs generated by the development upon which such fees are imposed, as well as set up certain segregated accounts for the deposit and retention of funds.

City Attorney McNatt presented a draft ordinance which would establish the Master Storm Drainage Fee (the only development fee presently in place in the City), limits the use of fee revenues, and establishes a mechanism for fee adjustments. City Attorney McNatt also advised that the resolution which will be coming before the City Council shortly provides necessary definitions, sets the fee itself, and provides for fee reviews.

The State statute requires the City to have these provisions in place not later than January 1, 1989. The format utilized in the draft ordinance and which will be used in the draft resolution is based on a model developed by the League of California Cities legal staff, and modified to meet local needs.

Following discussion with questions regarding the matter being directed to the City Attorney, the City Council on motion of Council Member Hinchman, Olson second, introduced Ordinance No. 1440 entitled, "An Ordinance of the Lodi City Council Establishing a Storm Drainage Fee for Developments Within the City of Lodi". The motion carried by unanimous vote of all City Council members present.

Further, on motion of Council Member Hinchman, Olson second, the City Council set a public hearing regarding the matter for the Regular Council Meeting of November 16, 1988.

DELIVERY OF UNCLAIMED
TOYS AND BICYCLES TO
THE UNITED STATES
MARINE CORPS' "TOYS
FOR TOTS" CAMPAIGN
APPROVED

URGENCY ORDINANCE
ADOPTED

CC-6
CC-66
CC-73
CC-149
CC-152

City Attorney McNatt advised the City Council that the U. S. Marine Corps' "Toys For Tots" campaign, working in conjunction with the San Joaquin County Department of Aging, Childrens' and Community Services, has requested that the City Council consider turning over to the toy drive all unclaimed bicycles and toys held by the Lodi Police Department, in lieu of selling these items at auction, as has been done in the past.

Under Welfare and Institutions Code § 217, the Council may, by ordinance, turn over all unclaimed toys and bicycles held by the Police Department for more than 60 days to nonprofit organizations to be used "... in a program or activity designed to prevent juvenile delinquency."

The County Department of Aging, Childrens' and Community Services appears to meet all criteria specified in the statute, thus satisfying the requirements stated that the organization to which the toys and bicycles are turned over be nonprofit, and that the toys and bicycles be used in a program designed to prevent juvenile delinquency.

The City Attorney indicated that he believed there is adequate justification, if the Council desires to do so, to utilize the provisions of § 217 to authorize the delivery of the toys and bicycles for distribution in conjunction with the Marine Corps' "Toys For Tots" campaign.

However, since the Welfare and Institutions code section specifies that the Council must act by ordinance, if it wishes to approve the proposal, the Council should act by urgency ordinance, in order to allow the delivery of the toys in time for Christmas. Otherwise, the final adoption of the ordinance would not occur until December, which would probably not allow timely delivery of the items.

First Sergeant Phillip J. Suchecki, U. S. Marine Corps addressed the City Council regarding the matter and responded to questions as were posed by members of the City Council.

On motion of Council Member Hinchman, Olson second, the City Council, by unanimous vote of all members present, adopted Urgency Ordinance No. 1441 entitled, "An Urgency Ordinance of the Lodi City Council Directing that Unclaimed Bicycles and Toys be Turned Over to the United State Marine Corps' 'Toys for Tots' Campaign".

ORDINANCES

CAPITAL IMPROVEMENT
PROGRAM BUDGET FOR
THE CITY OF LODI
FOR FISCAL YEAR
1988-89 ADOPTED

ORD. 1439
ADOPTED

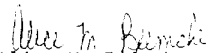
CC-15
CC-149

Ordinance No. 1439 entitled, "An Ordinance of the Lodi City Council Adopting a Capital Improvement Program Budget for the City of Lodi for Fiscal Year 1988-89" having been introduced at a regular meeting of the Lodi City Council held October 19, 1988 was brought up for passage on motion of Council Member Olson, Hinchman second. Second reading of the ordinance was omitted after reading by title, and the ordinance was then adopted and ordered to print by unanimous vote of all Council Members present.

ADJOURNMENT

There being no further business to come before the City Council, Mayor Pinkerton adjourned the meeting at approximately 8:55 p.m.

ATTEST:


Alice M. Reimche
City Clerk